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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/598,556  | 09/05/2006  | Thomas Zeng          | 129250-002283       | 7224             |
| 33498 7590 03/05/2010<br>CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC<br>P.O. BOX 1995<br>VIENNA, VA 22183 |             |                      |                     |                  |
| EXAMINER<br>DUBASKY, GIGI L.  |             |                      |                     |                  |
| ART UNIT  |             | PAPER NUMBER         |                     |                  |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/598,556

**Applicant(s)**

ZENG ET AL.

**Examiner**

GIGI L. DUBASKY

**Art Unit**

2421

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 4-9, 12-17 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-9, 12-17 and 20-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Claims 1, 4-9, 12-17 and 20-24 are pending.

1. Applicants' arguments in the Remarks filed on 11/16/2009 have been fully considered but they are not persuasive.

In response to the Applicants' arguments on pages 6-7 that "Schlzinne does not appear to disclose the use of an RTSP navigation message", "the combination of Deshpande, Schulzinne and Tao does not disclose or suggest the feature of a timing parameter operable to indicate when an RTSP navigation message is to be activated by a network node", "not the Tao's generalized depository" and "Deshpande's requested playlist is unrelated to a 3-tuple pointer of any kind whatsoever", examiner respectfully disagrees.

Even though Schlzinne does not disclose the use of an RTSP navigation message, Deshpande does disclose an RTSP navigation message. Deshpande discloses the client sends a RTSP PLAY request (message) to the RTSP server for playing each video segment in the requested playlist with the corresponding npt time value to indicate when to playback each video segment or when to switch to the next video segment (§ [0105]-[0108]). It means that Deshpande's RTSP PLAY request is a navigation message to playback between video segments in the requested playlist.

The combined system of Deshpande, Schlzrinne and Tao, Schlzrinne per se, does disclose the RTSP PLAY message includes a time parameter as one of its fields to specify a time in UTC at which the playback should start (section 10.5) or at which the operation is to be made effective (section 12.29).

Tao's depository is not generalized. Tao's depository of digital multimedia content is organized into a nested hierarchical arrangement having a plurality of levels to manage a playout control of a plurality of playlists (abstract, Col 1 lines 44-58 and Figure 10), including playlist management of a plurality of playlist IDs (Figure 11) to edit a selected playlist (Figure 13) and to create a new playlist (Figure 14) (Col 9 line 65 through Col 10 line 38), clip management of a plurality of clip IDs (Figure 12) to manage the clips within a selected playlist (Col 10 lines 41-67). With the hierarchical process level of Tao's depository as described above, Tao's each playlist is also as a multidimensional pointer associated with a plurality of media clip IDs.

Deshpande discloses a RTSP requested playlist that includes information about a number of individual media files/videos (¶ [0004] lines 1-5) and has segments from different videos stored on different servers (¶ [0049] lines 1-9). It means that Deshpande's playlist is also a multidimensional pointer associated with a number of different videos whose segments are within playlist.

Therefore the combined system of Deshpande, Schlzrinne and Tao still discloses all limitations of the amended claims 1, 9 and 17.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-9, 12-17 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deshpande (US 2005/0071881) in view of Schulzrinne (RFC 2326 – Real Time Streaming Protocol (RTSP), April 1998) and further in view of Tao et al (US 6441832).

Regarding claim 1, Deshpande discloses a method for retrieving digital multimedia content from a network node, comprising:

receiving a Real-Time Streaming Protocol (RTSP)-compliant PLAYLIST\_PLAY navigation message, that includes at least one multidimensional pointer at said network node, said multidimensional pointer associated with a media clip in a depository of digital multimedia content (§ [0105]-[0108] for sending a RTSP PLAY request (message) to the RTSP server from the client for playing each video segment in the requested playlist with the corresponding npt time value to indicate when to playback each video segment or when to switch to the next video segment; § [0046] lines 1-4 for transmitting data from client to server and vice versa through one or more intermediate nodes on the network; § [0004] lines 1-5 for a “playlist” including information about a number of individual media files; and § [0049] lines 1-9 for each playlist has segments

from different videos stored on different servers. In other words, the RTSP PLAY request, which is a navigation message to playback between video segments in the requested playlist, is sent from the client to server through the network nodes includes a requested playlist, which has equal functional manner as a multidimensional pointer, associated with a number of different source videos whose segments are within playlist), said navigation message further including a relative time offset within said media clip (¶ [0075] lines 8-10); and transferring digital multimedia content to a digital multimedia device by said network node from a particular content source identified by said multidimensional pointer (see Figure 1; ¶ [0046] lines 1-4 and step 1310 in Figure 13), said transferring commencing at a time indicated (¶ [0102], ¶ [0104] lines 4-8 and ¶ [0105]-[0108]).

Deshpande discloses the received Normal Play Time (npt) value indicating when to playback each video segment or when to switch to the next video segment (¶ [0105]-[0108]). However, Deshpande does not explicitly disclose the message including a timing parameter operable to indicate when said message is to be activated by said network node.

Schulzrinne (in the memo of RFC2326 - Real Time Streaming Protocol (RTSP)) discloses the RTSP PLAY message from client to server includes fields such as playlist identifier (URL), Cseq, Section and Range; Range header defines npt, smpte or clock values and also includes a time parameter specifying a time in UTC at which the playback should start (section 10.5) or at which the operation is to be made effective (section 12.29).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Deshpande's RTSP message to include a time parameter as taught by Schulzrinne, so to help the system in synchronization of streams obtained from different sources.

The combined system of Deshpande and Schulzrinne fails to disclose depository of digital multimedia content is organized into a nested hierarchical arrangement having a plurality of levels.

Tao discloses the depository of digital multimedia content is organized into a nested hierarchical arrangement having a plurality of levels to manage a playout control of a plurality of playlists (abstract, Col 1 lines 44-58 and Figure 10), including playlist management of a plurality of playlist IDs (Figure 11) to edit a selected playlist (Figure 13) and to create a new playlist (Figure 14) (Col 9 line 65 through Col 10 line 38), clip management of a plurality of clip IDs (Figure 12) to manage the clips within a selected playlist (Col 10 lines 41-67). With the hierarchical process level of Tao's depository as described above, Tao's each playlist is also as a multidimensional pointer associated with a plurality of media clip IDs.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combined system of Deshpande and Schulzrinne with the teaching of Tao, so to provide readily and organized performance of editing and displaying playlists.

Regarding claim 4, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 1. The combined system further discloses a first level of said depository of digital multimedia content comprises at least one server-side playlist identified by a uniform resource locator (taught by Deshpande; ¶ [0003] lines 4-8, ¶ [0027] lines 5-6 and ¶ [0049] lines 10-16; and also taught by Schulzrinne; see URLs defined in section 10.5).

Regarding claim 5, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 4. The combined system further discloses at least one server-side playlist includes one or more media clips (taught by Deshpande; ¶ [0049] and ¶ [0112]), each being identified by a corresponding media source identifier and a relative time offset within said media clip (taught by Tao; Figure 12-15; Col 10, lines 54-67 and Col 15, lines 52-56).

Regarding claim 6, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 1. The combined system further discloses the digital multimedia device accesses said network node over at least one of a wire line network, a wireless network, or a cable network (taught by Deshpande; ¶ [0046] lines 4-16 and ¶ [0116]).

Regarding claim 7, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 1. The combined system

further discloses digital multimedia device comprises at least one of: digital music players, digital video players, computers or handheld communication devices enabled to accept streaming media (taught by Deshpande; see Figure 14; ¶ [0005] lines 4-9 and ¶ [0114]-[0117]).

Regarding claim 8, Deshpande in view of Schulzrinne and further in view of Tao discloses the method as discussed in the rejection of claim 1. The combined system further discloses the timing parameter (taught by Schulzrinne; section 10.5 and 12.9) is operable to assume a value selected from the group consisting of: NOW, END OF CLIP, END OF PLAYLIST (The claim language "group consisting of" does not require all limitations are met. It is taught by Deshpande; ¶ [0106]-[0108] for playing back to back video segments in the playlist with the npt value indicated when the next segment is played which means that the next segment is played right at the end frame/clip of the previous segment. This meets the limitation of "END OF CLIP". Moreover, Schulzrinne also discloses the normal play time can be set to NOW value for live feed request (section 3.6). Therefore, the request to play in real-time from the clients with the npt set to NOW is interpreted as when the request is satisfied corresponding to the NOW value of the npt time).

Regarding claim 9, all limitations of claimed system in claim 9 are analyzed corresponding to the functionalities of claim 1. So claim 9 is rejected on the same ground as claim 1.

Regarding claim 12, all limitations of claimed system in claim 12 are analyzed corresponding to the functionalities of claim 4. So claim 12 is rejected on the same ground as claim 4.

Regarding claim 13, all limitations of claimed system in claim 13 are analyzed corresponding to the functionalities of claim 5. So claim 13 is rejected on the same ground as claim 5.

Regarding claim 14, all limitations of claimed system in claim 14 are analyzed corresponding to the functionalities of claim 6. So claim 14 is rejected on the same ground as claim 6.

Regarding claim 15, all limitations of claimed system in claim 15 are analyzed corresponding to the functionalities of claim 7. So claim 15 is rejected on the same ground as claim 7.

Regarding claim 16, all limitations of claimed system in claim 16 are analyzed corresponding to the functionalities of claim 8. So claim 16 is rejected on the same ground as claim 8.

Regarding claim 17, Deshpande in view of Schulzrinne and further in view of Tao discloses a digital multimedia device which all functionalities are analyzed and rejected corresponding to the discussion in the rejection of claim 1. The combined system further discloses a logic for receiving a Real-Time Streaming Protocol (RTSP)-compliant PLAYLIST PLAY message (taught by Deshpande; ¶ [0105]-[0108] and ¶ [0113]-[0114]) and a player engine (taught by Deshpande; element 106 in Figure 1 or element 220 in Figure 2 or elements 1414 and 1416 in Figure 14).

Regarding claim 20, Deshpande in view of Schulzrinne and further in view of Tao discloses the device as discussed in the rejection of claim 17. The combined system further discloses a first level of said plurality of media identifier dimensions comprises a uniform resource locator identifying a server-side playlist (taught by Deshpande; ¶ [0003] lines 4-8, ¶ [0027] lines 5-6 and ¶ [0049] lines 10-16; also taught by Schulzrinne in the section 10.5).

Regarding claim 21, Deshpande in view of Schulzrinne and further in view of Tao discloses the device as discussed in the rejection of claim 20. The combined system further discloses a second level of said plurality of media identifier dimensions comprises at least one of a media source identifier for identifying a particular media clip (taught by Tao; see Figure 11-12. Examiner interpreted Figure 11 as the first level of the plurality of media identifier dimensions because it includes all the playlist identifiers and

Figure 12 as the second level which includes plurality of clip identifiers) within said server-side playlist (taught by Deshpande; ¶ [0049] for playlist is stored at the server).

Regarding claim 22, Deshpande in view of Schulzrinne and further in view of Tao discloses the device as discussed in the rejection of claim 21. The combined system further discloses the multidimensional pointer includes a relative time offset within said particular media clip (taught by Tao; see Figure 12-15; Col 10 lines 54-67 and Col 15 lines 52-56).

Regarding claim 23, Deshpande discloses the device as discussed in the rejection of claim 17. The limitations of claim 23 are analyzed and rejected corresponding to the discussion in the rejection of claim 6.

Regarding claim 24, Deshpande discloses the device as discussed in the rejection of claim 17. The limitations of claim 24 are analyzed and rejected corresponding to the discussion in the rejection of claim 8.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GIGI L. DUBASKY whose telephone number is (571)270-5686. The examiner can normally be reached on Monday through Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2421

GD